

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

28850

FILE: B-214414

DATE: July 20, 1984

MATTER OF: Sunbelt Industries, Inc.

DIGEST:

Protest that specifications are unduly restrictive, vague and in violation of the statutory preference in favor of the use of recovered or recycled materials is academic and will not be considered by GAO where agency cancels solicitation containing the specifications.

Sunbelt Industries, Inc., protests the terms of invitation for bids (IFB) No. AT/TC 19588, issued by the General Services Administration (GSA) for the supply of abrasives to Tinker Air Force Base, Oklahoma. Sunbelt contends that GSA has included in the solicitation for aluminum oxide abrasive grit specifications which are unduly restrictive, vague and in violation of the statutory preference in favor of the use of recovered or recycled materials in 42 U.S.C. § 6962 (1982).

GSA has advised us that the IFB has been canceled. Since no award is to be made of the items under IFB No. AT/TC 19588 which Sunbelt has protested, the protest is academic and will not be considered. Scientific Games, Inc., B-213208, Jan. 9, 1984, 84-1 CPD ¶ 58. Although we understand that GSA is resoliciting this requirement under different specifications, any protest filed against the resolicitation will be considered separately.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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